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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,861	05/10/2001	Ken Lang	KLQ-004	5134
959 7590 07/14/2005 LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			EXAMINER HAVAN, THU THAO	
			ART UNIT 3624	PAPER NUMBER
DATE MAILED: 07/14/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/852,861

**Applicant(s)**

LANG, KEN

**Examiner**

Thu Thao Havan

**Art Unit**

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-26 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 22 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

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**Detailed Action**

***Response to Amendment***

Claims 1-26 are pending. This action is in response to the amendment received February 11, 2005.

***Response to Arguments***

Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

***Drawings***

The Examiner accepts the drawings filed on August 22, 2001.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims **1-26** are rejected under 35 U.S.C. 102(e) as being anticipated by Bukow (US 2002/0026338).

Re claims **1** and **22**, Bukow teaches a method, comprising the steps of: providing an automated reputation service for furnishing information regarding reputations of parties

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relative to multiple traits (para. 0031); and providing a first client with access to the reputation service via a communications network to furnish the information regarding a reputation of a selected party relative to the given trait (para. 0030). *In other words, Bukow discloses an Internet system matching reputation of workers and project creators or projects. The project creator evaluation allows the employer to evaluate the worker on various performance factors: timeliness, responsiveness, cost control, value for the money, capability, quality, and/or other factors.*

Re claim 2, Bukow teaches a second client access to the reputation service to furnish information regarding the reputation of the selected party relative to the given trait (para. 0031, 0007, and 0016). *The workers in Bukow correspond to a second client.*

Re claim 3, Bukow teaches first client access to the reputation service to furnish information regarding a reputation of the selected party relative to an additional trait (para. 0031 and 6). *The project creators in Bukow correspond to a second client.*

Re claim 4, Bukow teaches a second client access to the reputation service to furnish information regarding a reputation of an additional party relative to an additional trait (para. 0032).

Re claims 5 and 23, Bukow teaches first client is assessed a charge for providing the first client with access to the reputation service (para. 0029).

Re claims 6, 20, and 24, Bukow teaches communications network is a computer network (para. 0014; figs. 1-2). In figures 1-2, Bukow teaches a network in an Internet.

Re claim 7, Bukow teaches computer network is a wide area network (WAN) (para. 0020).

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Re claims **8, 21, and 25**, Bukow teaches computer network is the Internet (fig. 3). *In figure 3, Bukow discloses the Internet.*

Re claim **9**, Bukow teaches communications network includes a wireless communications path (para. 0028).

Re claims **10 and 17**, Bukow teaches selected party is a person (fig. 2). *The userid and password in figure 2 is from a person.*

Re claims **11 and 18**, Bukow teaches selected party is an automated agent of a person (para. 0027 and 0032). *Industry in Bukow corresponds to an automated agent of a person.*

Re claims **12 and 19**, Bukow teaches an electronic device, comprising the steps of: providing a collection of reputation data regarding at least one selected party (para. 0032); furnishing at least a portion of the reputation data to a client (para. 0030-0031); and accepting remuneration for furnishing the portion of reputation data to the client (para. 0029). *In other words, Bukow allows a worker to specify how much he/she is willing to pay for a successful match in relation to the reputation of workers versus a project. In that the system allows workers to pay a small fee for a preference in matching. Basically, Bukow discloses an Internet system matching reputation of workers and project creators or projects. The project creator evaluation allows the employer to evaluate the worker on various performance factors: timeliness, responsiveness, cost control, value for the money, capability, quality, and/or other factors.*

Re claims **13-15**, Bukow teaches remuneration is monetary remuneration (para. 0029).

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Re claims **16** and **26**, Bukow teaches collection of reputation data holds reputation data for multiple parties (para. 0030-0031).

### Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

TTH  
7/6/2005



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